

MINUTES
(Subject to Approval by the Council)
Idaho Council on Indian Affairs
Wednesday, July 06, 2022
11:00 A.M.
Room EW41
Boise, Idaho

Chairman Woodward called the meeting to order at 11:03 a.m.; a silent roll call was taken. Council members in attendance: Senators Jim Woodward and David Nelson; Bobbi-Jo Meuleman, Office of the Governor; Brian Thomas, Shoshone-Paiute Tribe; and Samuel Penney, Nez Perce Tribe. Members who participated via videoconference: Representative James Ruchti; Hermene James, Coeur d'Alene Tribe; and Nathan Small, Shoshone-Bannock Tribe. Legislative Services Office (LSO) staff present: Matt Drake, Janet Jessup, Jennifer Kish and Grace King.

Other attendees: Dave Jeppesen, Director, Idaho Department of Health and Welfare; Sara Omundson, Administrative Director, Idaho Courts; Elizabeth Coronado, Senior Policy Advisor, Northwest Portland Area Indian Health Board; Daniel Chadwick, Chairman, Missing and Murdered Indigenous Persons Subcommittee of the Idaho Criminal Justice Commission; Matthew Gamette, Laboratory System Director, Idaho State Police; Johanna Jones, Office of Indian Education, Idaho State Department of Education; Bob Sobotta, Chairman, Idaho Indian Education Committee; Amanda Watson, President and Founder, Atlas Strategic Communications; and Aaron Miles, Nez Perce Tribe.

NOTE: presentations and materials distributed to members are posted to the Legislature's website: <https://legislature.idaho.gov/sessioninfo/2022/interim/>; and copies of those items are on file with the Legislative Services Offices located in the State Capitol. Video of this meeting is also available on the website.

Opening Remarks and Introductions

Senator Nelson recognized Dave Jeppesen, Director of the Idaho Department of Health and Welfare (IDHW), and Sara Omundson, the Administrative Director of Idaho Courts, to give a presentation regarding the Idaho Behavioral Health Council (IBHC). Ms. Omundson began by giving the council a broad overview of the IBHC, including its mission and composition of members. Director Jeppesen provided further details about the IBHC's strategic action plan, adding that it had created specific implementation teams, each with a team lead and a deadline to complete its priorities. He stated that the council's main goal for the year was to provide Idaho with more behavioral health workers.

- Senator Nelson asked what the long-term funding would look like for the Certified Community Behavioral Health Clinics (CCBHCs). Director Jeppesen stated that long-term funding primarily will be provided through Medicaid and private insurance.
- Mr. Penney wondered if Native American youth will be required to go to the state facilities or would they have the option to go the Healing Lodge, which is more culturally targeted toward Native American youth. Director Jeppesen responded that CCBHCs will not limit the options but will instead add options. He added that the tribes could apply to have their own CCBHC that is culturally targeted. Mr. Penney expressed concern that, although the Nez Perce Tribe had a contract with the county jail, the jail will not accept tribal members who have behavioral health issues. Director Jeppesen stated that the IBHC has an agreement with the state jails which states that IBHC has seven days to place a person with behavioral health issues into the correct facility.
- Mr. Thomas praised IDHW for providing behavioral health resources to the Shoshone-Paiute Tribe but expressed concern with rising housing costs, which dissuades some members of the tribe from leaving their homes on the reservation.

- Senator Nelson asked what the model would look like for recommending youth assessment centers provided by the IBHC. Director Jeppesen admitted that he was unsure and requested that Senator Nelson ask again in a later meeting.

Northwest Portland Area Indian Health Board Update

Senator Nelson recognized Elizabeth Coronado, Senior Policy Advisor for the Northwest Portland Area Indian Health Board (NPAIHB), to give a presentation regarding the NPAIHB. Ms. Coronado provided administrative and regulatory updates regarding the NPAIHB and how it pertained to Idaho's tribes. Ms. Coronado also discussed issues regarding funding, tribal health centers, Medicaid, and telehealth.

- Mr. Penney asked what the NPAIHB was doing regarding the current baby formula shortage. Ms. Coronado stated the United States Department of Health and Human Services (HHS) was flying formula in from other countries but added that she would reach out to HHS for more information regarding the situation.
- Senator Nelson asked if making telehealth billable would be a matter of state law or federal law. Ms. Coronado stated that an amendment to the state plan would be needed in order to maintain coverage and that state regulations would need to be updated to reflect new changes.
- Ms. Coronado added that the telehealth advisory committee wrote a report on needs in Idaho to make telehealth more inclusive and stated that she would provide copies of that report to the council. Senator Nelson clarified that the report may have been created before the Covid-19 pandemic and may not include changes regarding billing.

Missing and Murdered Indigenous Persons Update

Senator Nelson introduced Daniel Chadwick, former chairman of the Missing and Murdered Indigenous Persons (MMIP) subcommittee of the Idaho Criminal Justice Commission. Mr. Chadwick discussed changes in leadership and provided background information regarding the MMIP subcommittee. He highlighted the members of the MMIP subcommittee and introduced Tai Simpson, Acting Co-Director of the Idaho Coalition Against Sexual and Domestic Violence and Nez Perce Tribal member. Ms. Simpson detailed the MMIP subcommittee's mission, members, history, goals, and methodology. She requested that the council support the MMIP subcommittee by formalizing its efforts through state funding. She listed other ways the council could support the MMIP subcommittee's efforts, such as improving the response systems for missing persons, including tribal voices in response planning, and passing tribal resolutions supporting peace officers.

- Senator Nelson asked what funding the MMIP effort at the state level may look like. Ms. Simpson gave an example from Minnesota's MMIP program to provide some insight on what funding Idaho's MMIP effort could look like. Ms. Simpson stated that the MMIP program needs more funding to collect data but needs data to convince the Legislature to appropriate more funding to the program.
- Mr. Penney asked which community center health practices were currently being utilized. Ms. Simpson stated that there were no community center health practices being utilized at the time.

Idaho State Police Forensic Services Update

Senator Nelson introduced Matthew Gamette, Laboratory System Director for the Idaho State Police, to give a presentation regarding the Idaho State Police Forensic Services (ISPFS). Mr. Gamette began by giving the council an overview on the ISPFS and provided information regarding the services it provides. He encouraged the tribes to submit evidence to ISPFS and utilize its services.

- Senator Nelson asked if nondisclosure applied to evidence submitted by tribal law enforcement. Mr. Gamette responded that nondisclosure allowed for the information regarding evidence to only be disclosed to the customer, the agency who submitted the evidence, and, sometimes, the prosecuting attorney involved in the case.

- Mr. Penney asked if there was a way to identify fentanyl through a breathalyzer test or through other means. Mr. Gamette stated that there was currently no way for officers to identify fentanyl in the field, especially if there was a mix of drugs in a person's system. Mr. Gamette encouraged officers to provide a sample to forensics as soon as possible to obtain a more conclusive result. He mentioned that the Drug Enforcement Agency was working on a fentanyl testing kit to be available to officers in the field.

Break from 1:05 p.m. to 1:50 p.m.

Idaho Indian Education Update

Senator Nelson introduced Johanna Jones from the Office of Indian Education at the Idaho State Department of Education and Bob Sobotta, Chairman of the Idaho Indian Education Committee (IEC), to give a presentation regarding updates on Idaho Indian Education. Mr. Sobotta discussed the composition, membership changes, and goals of the IEC. He also listed names of those providing tribal representation in Idaho's education system. Ms. Jones detailed the Idaho Standards for Initial Certification of Professional Personnel, specifically standard 11. She also discussed the tribal education departments and highlighted the work they did at the state level. Ms. Jones introduced Paddy Sanchez, Academic Affairs Program Manager for the Idaho State Board of Education (ISBE), to speak about the annual Idaho Indian Education Summit. Ms. Sanchez provided details on the summit and invited the council members to attend.

- Mr. Thomas stated that his tribe would be appointing two members to the IEC board immediately. He added that there were issues with his tribe having the only Nevada school district on tribal lands but that the Idaho education system has been supportive.
- Mr. Penney asked if there was a way that Northwest Indian College (NWIC) could be involved in the IEC. Mr. Sobotta stated that institutions involved in IEC were typically state funded but that the IEC should consider including NWIC. Ms. Jones added that, since IEC is a committee under the ISBE, the policies would have to be updated to include NWIC. She also added that the IEC currently had two at-large member positions available so it could consider NWIC for one of those positions. Mr. Penney mentioned that NWIC had many students transfer to other schools in Idaho. He added that there were tribal advisory boards at the University of Idaho asked if other state institutions with Native American students had similar advisory boards. Mr. Sobotta responded that North Idaho College and the University of Idaho had advisory boards that worked with the Coeur d'Alene Tribe. He added that Boise State intended to work with the Shoshone-Bannock and Shoshone-Paiute Tribes and that Idaho State University was currently working with the Shoshone-Paiute Tribe. Ms. Jones clarified that each tribe had two liaisons and every state college had at least one liaison represented on the IEC.
- Mr. Thomas asked if the Idaho Indian Education Summit would offer student mental health care as a curriculum credit for Idaho schools. Ms. Jones stated that it was not and that mental health care was just a topic that would be discussed in the summit to give educators advice and insight. Mr. Thomas suggested that there should be curriculum regarding mental health to raise awareness around the issue.

Electric Vehicle Charging Infrastructure

Senator Nelson introduced Amanda Watson, President and Founder of Atlas Strategic Communications, to give a presentation regarding electric vehicle (EV) charging infrastructures. Ms. Watson introduced Cecilia Arritola from the Idaho Transportation Department, who gave an overview of how the National Electric Vehicle Infrastructure (NEVI) Formula Program could impact Idaho. Ms. Arritola explained the purpose of NEVI, which was to provide states with funding for EV charging infrastructure. She provided a timeline for the plan and detailed what Idaho's funding formula and planning could look like. Emily Herr, Policy Analyst for the Office of Energy and Mineral Resources, discussed the history of, different types of, and market for EV's as well as detailing EV grant programs and incentives.

- Chairman Woodward asked if there had been coordination with the electric utility industry to create low growth projections for EV demand to ensure that the electrical system could manage the demand over time. Ms. Arritola responded that, due to the short notice of the passing of the NEVI program, there had been minimal coordination with the electric utility industry during the planning process. Ms. Watson clarified that the intent was to work with all stakeholders during the planning process. Chairman Woodward wondered if urban areas, the areas with the most demand for EV, were being served at an adequate level. Ms. Watson explained that there were some inadequacies because the NEVI program was focused on creating infrastructure along interstates and highways to connect the state but that most EV drivers were asking for more infrastructure in their area.
- Senator Nelson commented that most people charge their EV at home and only run into problems when traveling across the state, which explains the importance of infrastructure along interstates and highways. He added that the program needed to start prioritizing funding over research.
- Ms. Mueleman wondered if citizens or stakeholders had expressed opinions regarding the use of taxpayer funds for the NEVI program. Ms. Watson responded that this was a common concern based on surveys and public meetings.
- Mr. Thomas expressed concern with public safety and security around public EV charging because it takes longer to charge an EV at a station versus fueling a car.
- Mr. Penney asked about the location of State Highway 12. Ms. Watson and Ms. Arritola explained the location and added that it was nominated to receive EV infrastructure.

Nez Perce Tribe's Good Neighbor Authority Agreement

Senator Nelson introduced Aaron Miles, Natural Resource Manager for the Nez Perce Tribe, for his presentation regarding the Nez Perce Tribe's Good Neighbor Authority (GNA) Agreement with the Nez Perce Clearwater National Forest. Mr. Miles gave an overview of the relationship between the Nez Perce Tribe and the Nez Perce Clearwater National Forest and why the tribe decided to be involved in the GNA with the federal government. He added that there would need to be legislation to amend language in the GNA to allow tribes and counties to retain timber receipts.

- Senator Woodward asked if there was a timeline for the legislation for the tribes and counties. Mr. Miles admitted that he was unsure of the timeline.

Council Discussion

Senator Nelson invited the council to discuss other pertinent matters and potential topics for the next meeting.

- Mr. Penney expressed hope that those involved in the NEVI program would include tribal transportation departments. He also highlighted some projects that the Nez Perce Tribe's transportation department was working on.
- Chairman Thomas highlighted the difficulties of having to work with both Idaho and Nevada due to the Shoshone-Paiute Tribe's location but complimented the work the Idaho government does to keep the tribe involved.
- Senator Nelson commented that the Legislature should act on adding a tribal liaison to Idaho Medicaid. He also suggested that the council should meet again in the first week of December.
- Via Zoom's chat function (read by LSO staff), Mr. Small suggested that the council address Indian youth and behavioral needs and PL 280 in the next meeting.

With no further business, the meeting was adjourned at 3:45 p.m.